



Atty. Dkt. No. 0709.014.0002  
United States Serial No. 10/660,760

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Liebmann-Vinson *et al.*

Appl. No. 10/660,760

Filed: September 12, 2003

For: **Methods of Surface Modification  
of a Flexible Substrate to Enhance Cell  
Adhesion**

Art Unit: 1712

Examiner: Unknown

Atty. Docket: 0709.014.0002

Confirmation No.: 5991

Customer No.: 46851

**REQUEST FOR AMENDMENT OF APPLICATION UNDER 35 U.S.C. §116 AND  
37 C.F.R. §1.48(a) TO CORRECT INVENTIVE ENTITY**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is a request to amend the above-captioned application to correct the inventive entity set forth in the declaration filed December 12, 2003. The error in inventive entity in the December 12, 2003 declaration was made without deceptive intent.

Please add the following individuals to the inventive entity in the above-captioned application:

Kirill Efimenko

Jan Genzer.

01/24/2005 MMEKONEN 00000065 503120 10660760  
01 FC:1464 130.00 DA

To effectuate the amendment to inventive entity, enclosed herewith are:

(1) statements under 37 C.F.R. §1.48(a)(2) from each inventor being added to the application, stating that the error in inventorship occurred without deceptive intent on his or her part;

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- (2) a newly executed declaration under 37 C.F.R. §1.63, wherein each actual inventor has been presented;
- (3) a statement under 37 C.F.R. §1.48(a)(5) providing written consent of the assignee of record of the entire right, title and interest in the above-captioned application, to amend the application under 35 U.S.C. §116 and 37 C.F.R. §1.48(a);
- (4) a copy of the statement under 37 C.F.R. §3.73(b) establishing ownership of the above-captioned application; and
- (5) authorization to charge deposit account number 50-3120 for all required fees under 37 C.F.R. §§1.17(i) and 1.48(a) for entry of the amendment to the above-captioned application.

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Entry of this amendment to correct inventive entity is earnestly solicited.

After entry of this amendment, the inventive entity of the above-captioned application should now read:

Liebmann-Vinson, Andrea;  
Chaney, Bryce N.;  
Efimenko, Kirill; and  
Genzer, Jan.

It is not believed that any extensions of time are necessary to prevent abandonment of this application. If, however, extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required, including fees for net addition of claims, are hereby authorized to be charged to account number 50-3120.

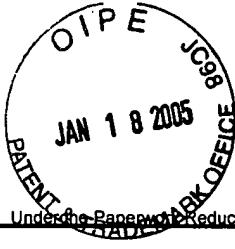
Should the Examiner believe that further discussion of any remaining issues would advance the prosecution, he or she is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date January 18, 2005 By Todd B. Buck

Castellano Malm Ferrario & Buck PLLC  
Customer Number: 46851  
Telephone: (202) 478-5300  
Facsimile: (202) 318-1288

Todd B. Buck  
Registration No. 48,574



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

15

Application Number	10/660,760
Filing Date	September 12, 2003
First Named Inventor	Andrea Liebmann-Vinson
Art Unit	1712
Examiner Name	Unknown
Attorney Docket Number	0709.014.0002

### ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC			
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences			
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)			
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information			
<input checked="" type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter			
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):			
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer				
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund				
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____				
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD				
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53					
<table border="1"> <tr> <td>Remarks</td> <td colspan="2">Request to correct inventive entity, including: (1) Request under 35 USC 116 and 37 CFR 1.48; (2) Newly executed declaration and power of attorney; (3) Statements (two) from each inventor being added that the error was made without deception; (4) Statement under 37 CFR 1.48(a)(5) consenting to amending the application; (5) Statement under 37 CFR 3.73 establishing ownership of application; and (6) Fee Transmittal (2 copies)</td> </tr> </table>			Remarks	Request to correct inventive entity, including: (1) Request under 35 USC 116 and 37 CFR 1.48; (2) Newly executed declaration and power of attorney; (3) Statements (two) from each inventor being added that the error was made without deception; (4) Statement under 37 CFR 1.48(a)(5) consenting to amending the application; (5) Statement under 37 CFR 3.73 establishing ownership of application; and (6) Fee Transmittal (2 copies)	
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Castellano, Malm, Ferrario & Buck		
Signature			
Printed name	Todd B. Buck		
Date	January 18, 2005	Reg. No.	48,574

### CERTIFICATE OF TRANSMISSION/MAILING

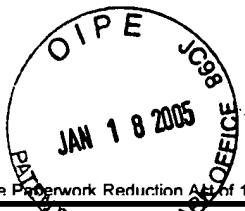
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature		
Typed or printed name		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\\$) 130.00
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## Complete if Known

Application Number	10/660,760
Filing Date	September 12, 2003
First Named Inventor	Andrea Liebmann-Vinson et.al
Examiner Name	Unknown
Art Unit	17112
Attorney Docket No.	0709.014.0002

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 50-3120 Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		<u>Fees Paid (\$)</u>
	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

### 2. EXCESS CLAIM FEES

#### Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

<u>Fee (\$)</u>	<u>Small Entity</u>
50	25
200	100
360	180

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
0 - 20 or HP =	0 x	50 =	0	<u>Fee (\$)</u> <u>Fee Paid (\$)</u>
HP = highest number of total claims paid for, if greater than 20				0 0
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	<u>Fee (\$)</u> <u>Fee Paid (\$)</u>
0 - 3 or HP =	0 x	200 =	0	
HP = highest number of independent claims paid for, if greater than 3				

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
_____ - 100 =	/ 50 =	(round up to a whole number) x	_____ =	<u>Fee Paid (\$)</u>

### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Fee for Correcting Inventorship under 37 C.F.R. 1.17(i) and 1.48(a)(4)

130.00

## SUBMITTED BY

Signature		Registration No. 48,574 (Attorney/Agent)	Telephone 202-478-5300
Name (Print/Type)	Todd B. Buck	Date	January 18, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Art Unit: 1712

Examiner: Unknown

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Confirmation No.: 5991

**STATEMENT UNDER 37 C.F.R. §1.48(a)(2) THAT ERROR IN INVENTORSHIP  
OCCURRED WITHOUT DECEPTIVE INTENT**

This is a communication under 37 C.F.R. §1.48(a)(2) in connection with the Request for Amendment of Application under 35 U.S.C. §116 and 37 C.F.R. §1.48(a), filed herewith.

I, Kirill Efimenko, declare the following:

1. I was not listed on, and I did not sign, the declaration, filed December 12, 2003, in connection with the above-referenced application to establish inventive entity in connection with the above-referenced application.
2. This error in omitting my name and signature from the declaration of December 12, 2003, was made without any deceptive intent on my part.

In accordance with 28 U.S.C. §1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: December 3, 2004;

Kirill Efimenko

A handwritten signature in black ink, appearing to read "Kirill Efimenko".



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This is a communication under 37 C.F.R. §1.48(a)(2) in connection with the Request for Amendment of Application under 35 U.S.C. §116 and 37 C.F.R. §1.48(a), filed herewith.

I, Jan Genzer, declare the following:

1. I was not listed on, and I did not sign, the declaration, filed December 12, 2003, in connection with the above-referenced application to establish inventive entity in connection with the above-referenced application.
2. This error in omitting my name and signature from the declaration of December 12, 2003, was made without any deceptive intent on my part.

In accordance with 28 U.S.C. §1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: Dec 3, 2004;

A handwritten signature of "Jan Genzer" is written over a horizontal line. Below the signature, the name "Jan Genzer" is printed in a smaller font.



Atty. Dkt. No. 0709.014.0002  
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Examiner: Unknown  
Atty. Docket: 0709.014.0002  
Confirmation No.: 5991

**STATEMENT UNDER 37 C.F.R. §1.48(a)(5) CONSENTING TO AMENDING  
APPLICATION TO CORRECT INVENTIVE ENTITY**

This is a communication under 37 C.F.R. §1.48(a)(5) in connection with the Request for Amendment of Application under 35 U.S.C. §116 and 37 C.F.R. §1.48(a), filed herewith.

- (1) As established in the accompanying Statement Under 37 C.F.R. §3.73(b), **Becton, Dickinson and Company**, a New Jersey corporation, is the assignee of record in the above-captioned application (United States Serial No. 10/660,760).
- (2) The undersigned, being authorized to act on behalf **Becton, Dickinson and Company**, consents to amending the above-captioned application under 35 U.S.C. §116 and 37 C.F.R. §1.48(a) to correct inventive entity.

Executed on: September 3<sup>c</sup>, 2004; 

David W. Hight  
Assistant Secretary

O I P E  
JAN 18 2005  
JC98  
PATENTS & TRADEMARK OFFICE

PTO/SB/96 (06-04)

Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Andrea Liebmann-Vinson

Application No./Patent No.: 10/660,760 Filed/Issue Date: September 12, 2003

Entitled: Methods of Surface Modification of a Flexible Substrate to Enhance Cell Adhesion

Becton, Dickinson and Company, a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or

2.  an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014787, Frame 0474, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

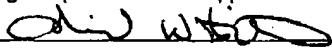
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[ ] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Sept. 27, 2004

Signature

Date

David W. Hight

201-847-5317

Printed or Typed Name

Telephone Number

Assistant Secretary

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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